

E-Filed on September 7, 2007

**O'REILLY LAW GROUP, LLC**

John F. O'Reilly, Esq.  
Nevada Bar No. 1761  
Timothy R. O'Reilly, Esq.  
Nevada Bar No. 8866  
325 S. Maryland Parkway  
Las Vegas, Nevada 89101  
Telephone: (702) 382-2500  
Facsimile: (702) 384-6266  
Attorneys for Creditor  
MICHAEL PETERSEN

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:  
USA COMMERCIAL MORTGAGE  
COMPANY,  
Debtor.

Case No.: BK-S-06-10725 LBR  
Chapter 11  
BK-S-06-10726 LBR  
BK-S-06-10727 LBR  
BK-S-06-10728 LBR  
BK-S-06-10729 LBR

In Re:  
USA CAPITAL REALTY ADVISORS,  
LLC,  
Debtor.

Jointly Administered Under  
Case No. BK-S-06-10725 LBR  
Judge: Honorable Linda B. Riegler

**STIPULATION FOR SUBSTITUTION OF  
ATTORNEY FOR CREDITOR MICHAEL  
PETERSEN**

In Re:  
USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,  
Debtor.

In Re:  
USA CAPITAL FIRST TRUST DEED  
FUND, LLC,  
Debtor.

In Re:  
USA SECURITIES, LLC,

**O'REILLY LAW GROUP, LLC**  
A NEVADA LIMITED LIABILITY COMPANY INCLUDING CORPORATIONS  
325 South Maryland Parkway • Las Vegas, Nevada 89101-5300  
Telephone (702) 382-2500 • Facsimile (702) 384-6266

Debtor. }

IT IS HEREBY STIPULATED by and between John F. O'Reilly, Esq. and Timothy R. O'Reilly, Esq. of O'REILLY LAW GROUP, LLC as attorneys for Secured Creditor, Michael Petersen and William J. Wray, Esq. and Donna DiMaggio-Highberger, Esq. formerly of the law firm of O'REILLY LAW GROUP, LLC and who are now attorneys employed by the law firm of KUMMER, KAEMPFER, BONNER, RENSHAW & FERRARIO to substitute John F. O'Reilly, Esq. and Timothy R. O'Reilly, Esq. of O'REILLY LAW GROUP, LLC as the attorney of record for MICHAEL PETERSEN, SECURED CREDITOR in the above entitled action.

IT IS FURTHER STIPULATED that William J. Wray, Esq. and Donna DiMaggio-Highberger, Esq. are to be removed from all mailing lists and electronic notices in this case. Attached to this Stipulation as Exhibit 1 is an executed Substitution of Attorney For Creditor Michael Petersen and Request for Removal from Service List.

**KUMMER, KAEMPFER, BONNER,  
RENSHAW & FERRARIO**

**O'REILLY LAW GROUP, LLC**

By: \_\_\_\_\_

William J. Wray, Esq.  
Nevada Bar No. 5834  
Donna DiMaggio-Highberger, Esq.  
Nevada Bar No. 9794  
3800 Howard Hughes Pkwy  
7<sup>th</sup> Floor  
Las Vegas, Nevada 89169

By: \_\_\_\_\_

John F. O'Reilly, Esq.  
Nevada Bar No. 1761  
Timothy R. O'Reilly, Esq.  
Nevada Bar No. 8866  
325 South Maryland Parkway  
Las Vegas, Nevada 89101  
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PROOF OF SERVICE

I HEREBY CERTIFY, pursuant to LR 9041(C)(1)(a), that on this 7<sup>th</sup> day of September 2007, I served the above and foregoing **STIPULATION TO SUBSTITUTION OF ATTORNEY FOR CREDITOR MICHAEL PETERSEN** by placing a copy of same in a sealed envelope, with postage fully prepaid thereon, and sending via U.S. mail to the following:

Annette W. Jarvis, Esq.  
Ray Quinney & Nebeker P.C.  
36 South State Street, Suite 1400  
P.O. Box 45385  
Salt Lake City, Utah 84145-0385  
Fax: (801) 532-7543  
Co-Counsel for Debtors

Lenard E. Schwartz, Esq.  
Jeanette E. McPherson  
Schwartz & McPherson Law Firm  
2850 S. Jones Blvd., Suite 1  
Las Vegas, Nevada 89146-5308  
Fax: (702) 892-0122  
Co-Counsel for Debtors

  
An Employee of O'REILLY LAW GROUP, LLC

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# EXHIBIT 1

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**O'REILLY LAW GROUP, LLC**

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 Nevada Bar No. 1761  
 Timothy R. O'Reilly, Esq.  
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 Attorneys for Creditor  
 MICHAEL PETERSEN

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

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Case No.: BK-S-06-10725 LBR  
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In Re:  
 USA CAPITAL REALTY ADVISORS,  
 LLC,  
 Debtor.

Jointly Administered Under  
 Case No. BK-S-06-10725 LBR  
 Judge: Honorable Linda B. Riegler

In Re:  
 USA CAPITAL DIVERSIFIED TRUST  
 DEED FUND, LLC,  
 Debtor.

**SUBSTITUTION OF ATTORNEY FOR  
 CREDITOR MICHAEL PETERSEN AND  
 REQUEST THAT WILLIAM J. WRAY AND  
 DONNA DIMAGGIO-HIGHBERGER BE  
 REMOVED FROM SERVICE LIST**  
**[NO HEARING REQUIRED]**

In Re:  
 USA CAPITAL FIRST TRUST DEED  
 FUND, LLC,  
 Debtor.

In Re:  
 USA SECURITIES, LLC,  
 Debtor.

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1 TO ALL PARTIES IN INTEREST:

2 PLEASE TAKE NOTICE Michael Petersen, (hereinafter "PETERSEN"), a secured creditor of  
3 Debtor USA Commercial Mortgage Company, et al makes the following Substitution of Attorney:

4 1. The name, address, and telephone number of the New Attorney is as follows:

5 John F. O'Reilly, Esq.  
6 Nevada Bar No. 1761  
7 jor@oreillylawgroup.com  
8 Timothy R. O'Reilly, Esq.  
9 Nevada Bar No. 8866  
10 tor@oreillylawgroup.com  
11 **O'REILLY LAW GROUP, LLC**  
12 325 S. Maryland Parkway  
13 Las Vegas, Nevada 89101  
14 Telephone: (702) 382-2500  
15 Facsimile: (702) 384-6266

16 2. The New Attorneys' on behalf of PETERSEN hereby appear in the Case.

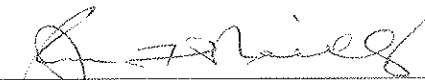
17 3. The New Attorneys' are substituted as attorney of record in place and stead of the present  
18 attorneys' William J. Wray, Esq. and Donna DiMaggio-Highberger, Esq. who are no  
19 longer employed by O'REILLY LAW GROUP, LLC and are now attorneys for the law  
20 firm of KUMMER, KAEMPFER, BONNER, RENSHAW & FERRARIO.

21 4. William J. Wray, Esq. and Donna DiMaggio-Highberger, Esq. are to be removed from all  
22 mailing lists and electronic notices in this case. All notices are to be delivered to the New  
23 Attorneys' as noted above.

24 I, John F. O'Reilly, consent to the above substitution and the above substitution is hereby  
25 accepted.

26 DATED: Sept. 5, 2007

O'REILLY LAW GROUP, LLC

27 By:   
28 John F. O'Reilly, Esq.  
Nevada Bar No. 1761

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I, Timothy R. O'Reilly, consent to the above substitution and the above substitution is hereby accepted.

DATED: <sup>September</sup> August 5, 2007

**O'REILLY LAW GROUP, LLC**

By: T-R. O'Reilly  
Timothy R. O'Reilly, Esq.  
Nevada Bar No. 8866

I, William J. Wray, consent to the above substitution.

DATED: August 29, 2007

**KUMMER, KAEMPFER, BONNER, RENSCHAW & FERRARIO**

By: WJ Wray  
William J. Wray, Esq.  
Nevada Bar No. 5834

I, Donna DiMaggio-Highberger, consent to the above substitution.

DATED: August 29, 2007

**KUMMER, KAEMPFER, BONNER, RENSCHAW & FERRARIO**

By: DDH  
Donna DiMaggio-Highberger, Esq.  
Nevada Bar No. 9794

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1 I, Michael Petersen, secured creditor in the above-entitled matter, hereby consent to the above  
 2 substitution of attorneys.

3 DATED: <sup>Sept.</sup> ~~August~~ 4, 2007

4  
 5 By:   
 6 Michael Petersen

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